

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:

JANICE ELAINE WILLIAMS

CASE NO. 02-92340
CHAPTER 13

DEBTOR

CONSECO FINANCE SERVICING CORP.
MOVANT

VS.

JANICE ELAINE WILLIAMS
RESPONDENT

RECEIVED - CLERK
U.S. DISTRICT COURT
2002 OCT - 8 CM II: 03
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

OCT 08 2002

CLERK, U.S. BANKRUPTCY COURT
BY: DEPUTY

A.M.
P.M.

RESPONSE TO MOTION OF CONSECO FINANCE SERVICING CORP.
FOR RELIEF FROM AUTOMATIC STAY AGAINST PROPERTY
AND WAIVER OF THIRTY (30) DAY HEARING REQUIREMENT

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

JANICE ELAINE WILLIAMS, Debtor, herein, filing her Response to Motion of Conseco Finance Servicing Corp. for Relief from Automatic Stay against Property and Waiver of Thirty (30) Day Hearing Requirement, and hereby objecting to same, respectfully requests a hearing to be set on the matter for the following reasonings:

1. Debtor admits to paragraphs 1 through 6.
2. For paragraph 7, Debtor disputes the amount of arrearage in default with her payments to Movant outside the Chapter 13 Plan. At present, the Debtor is current to Movant. Debtor admits to the rest of the paragraph.
3. Debtor denies paragraph 8. Debtor has no knowledge that the insurance on the collateral has lapsed.
4. Debtor denies paragraph 9. Debtor is current on Debtor's post-petition payments which adequately protects Movant. Also, the collateral is insured and being properly maintained.
5. For paragraph 10, Debtor admits there is no equity in the Collateral. However, the Collateral is necessary for Debtor's reorganization as Debtor's homestead.

6. For paragraph 11, Debtor admits that Debtor should remain current in her payments to the Chapter 13 Trustee and post-petition payments to Movant. Also, Debtor should maintain and provide proof of insurance to Movant. Debtor denies the rest of the paragraph.

7. Debtor does not object to paragraphs 12 and 13.

WHEREFORE, Respondent prays that the Motion of Conseco Finance Servicing Corp. for Relief from Automatic Stay against Property and Waiver of Thirty (30) Day Hearing Requirement be in all things DENIED, and she be granted such other relief to which she may be justly entitled to receive.

DATED: October 8, 2002

Respectfully submitted,

ALLEN T. GREGORY
P.O. Box 1702
BEAUMONT, TX 77704
(409) 835-3891

BY: Allen T. Gregory
ALLEN T. GREGORY
TBA No. 08430900
ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Response to Motion of Conseco Finance Servicing Corp. for Relief from Automatic Stay against Property and Waiver of Thirty (30) Day Hearing Requirement and Order Denying Motion of Conseco Finance Servicing Corp. for Relief from Automatic Stay against Property and Waiver of Thirty (30) Day Hearing Requirement has this 8th day of October 2002, been mailed by Regular U.S. Mail to Janice Elaine Williams, Debtor, Rt. 7 Box 3910, Lufkin, Texas 75904, to Mr. Michael Gross, Trustee, P.O. Box 7097, Tyler, Texas 75711, to John P. Dillman, Attorney at Law, Linebarger Goggan Blair Pena & Sampson, LLP, P.O. Box 3064, Houston, Texas 77253-3064, to James W. King, Attorney at Law, Offerman & King, L.L.P., 6420 Wellington Place, Beaumont, Texas 77706, and to Conseco Finance Servicing Corp., I.O. Box 6154, MHD Bankruptcy Department, Rapid City, South Dakota 57709-9858. This service complies with Local Rules of Bankruptcy Procedure 9013(f).



ALLEN T. GREGORY